



BOARD OF SELECTMEN
CALENDAR
FOR
TUESDAY, FEBRUARY 9, 2016
SELECTMEN'S HEARING ROOM

- Neil Wishinsky-
Chairman
- Nancy A. Daly
- Benjamin J. Franco
- Nancy S. Heller
- Bernard W. Greene
- Melvin A. Kleckner –
Town Administrator

1. **PROPOSED EXECUTIVE SESSION**
COLLECTIVE BARGAINING

6:00 PM Human Resources Director Sandra DeBow will appear to discuss strategies relative to Collective Bargaining.

2. **PROPOSED EXECUTIVE SESSION**
LITIGATION

Executive Session for the purpose of discussing strategy with respect to litigation in the matter of "Gerald Alston v. the Town of Brookline, et.al"

3. **SELECTMEN'S ANNOUNCEMENTS/UPDATES**

7:00 P.M. Selectmen to announce recent and/or upcoming Events of Community Interest and report on activities related to carrying out the responsibilities of the Board.

4. **PUBLIC COMMENT**

Public Comment period for citizens who requested to speak to the Board regarding Town issues not on the Calendar.

Public Comment Guidelines, adopted by the Board in May 2007, and amended May 14, 2013, are that (1) up to 15 minutes at the beginning of each meeting may be open to the public for public comment. (2) Each speaker is limited to 3 minutes for comment. (3) Each speaker may comment once every four meetings on a different topic. (4) Members of the Board will not comment or respond, unless there is a question of clarification. (5) Speakers must notify the Selectmen's Office (617)730-2211 by Friday to sign up for the next Tuesday's meeting so that we can schedule time.

5. **MISCELLANEOUS**

Approval of miscellaneous items, licenses, vouchers, and contracts.

- A. Question of approving the minutes of February 2, 2016.
Question of approving the minutes of January 21, 2016
joint meeting with the School Committee,
- B. Question of approving Cutty's Façade Loan application in the
amount of \$9,000.
- C. Question of approving the response letter on Chapter 40B
project at 1180 Boylston Street

6. **CALENDAR**

Review and potential vote on Calendar Items

7. **FIRE DEPARTMENT PERSONNEL**

Question of appointing the following candidate as a
Firefighter, effective February 15, 2016.

Walter Francis

8. **HOLOCAUST WITNESS COMMITTEE**

Harvey Bravman will appear to update the Board on the
charge of the Committee

9. **BICYCLE ADVISORY COMMITTEE**

Question of approving the Bicycle Advisory Committee's
submission of a Bicycle Friendly Community application to
the League of American Bicyclists.

10. **PUDDINGSTONE AT CHESTNUT HILL-40B PROJECT**

8:00 P.M. Public Hearing on the application of Chestnut Hill Realty
(Hancock Village) for the construction of "Puddingstone at
Chestnut Hill" a 40B Project on Independence Drive.

11. **BOARDS AND COMMISSIONS - APPOINTMENTS**

Question of making appointments/reappointments to the
following Boards and Commissions:

Board of Examiners

**Naming Committee
Holocaust Memorial Committee**

The Town of Brookline does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities. Individuals who need auxiliary aids for effective communication in programs and services of the Town of Brookline are invited to make their needs known to Robert Sneirson, Town of Brookline, 11 Pierce Street, Brookline, MA 02445. Telephone (617) 730-2328; TDD (617) 730-2327; or e-mail at rsneirson@brooklinema.gov



MINUTES

BOARD OF SELECTMEN

IN BOARD OF SELECTMEN TUESDAY, FEBRUARY 2, 2016 6th FLOOR HEARING ROOM

Present: Selectman Neil Wishinsky, Selectman Nancy Daly,
Selectman Benjamin J. Franco, Selectman Nancy S.
Heller, Selectman Bernard W. Greene

PROPOSED EXECUTIVE SESSION 'LITIGATION

Human Resources Director Sandra DeBow will appear to discuss strategies relative to pending litigation.

PROPOSED EXECUTIVE SESSION LITIGATION

Executive Session for the purposes of discussing strategy with respect to litigation in the matter of "Gerald Alston v. the Town of Brookline, et al."

EXECUTIVE SESSION

In Open Session- the Chair must state the purpose for Executive Session, stating all subjects that may be revealed without compromising the purpose for which the Executive Session was called.

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

On motion it was voted to enter into executive session.

Roll Call:

Aye: Wishinsky, Daly, Franco, Heller, Greene

SELECTMEN ANNOUNCEMENTS/UPDATES

Selectmen to announce recent and/or upcoming events of community interest and report on activities related to carrying out the responsibilities of the Board.

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Chairman Wishinsky announced that he has been appointed executive member of Massport Community Advisory Committee. This committee offers local community input and oversight to Massport.

The Board noted Dr. Greer Hardwicke's retirement.

Selectman Greene noted that he asked the Diversity, Inclusion and Community Relations Committee to retract their public statement made a few weeks ago.

The Open Space Committee held an informative and interesting meeting.

The Devotion School project is moving along.

The Climate Action Committee has asked that during review of a 9th school site, environmental and climate change issues be considered.

PUBLIC COMMENT

Public Comment period for citizens who requested to speak to the Board regarding Town issues not on the Calendar.

Public Comment Guidelines, adopted by the Board in May 2007, and amended May 14, 2013, are that (1) up to 15 minutes at the beginning of each meeting may be open to the public for public comment. (2) Each speaker is limited to 3 minutes for comment. (3) Each speaker may comment once every four meetings on a different topic. (4) Members of the Board will not comment or respond, unless there is a question of clarification. (5) Speakers must notify the Selectmen's Office (617)730-2211 by Friday to sign up for the next Tuesday's meeting so that we can schedule time.

MISCELLANEOUS

Question of approving the minutes of January 26, 2016.

On motion it was,

Voted to approve the minutes of January 26, 2016 amended.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

PUBLIC COMMENT POLICY

Question of amending the Policy on Public Comment at Selectmen's Meetings.

Town Administrator Mel Kleckner stated that the Board had requested a review of the current public comment policy. Currently advanced sign up is required. It has been demonstrated in recent weeks that may not be practical. After reviewing the Schools Committee's policy some revisions were made.

Chairman Wishinsky added that the new policy does not require advance sign up, but it will be on a first come first serve basis and 15 minutes will be allotted. Should more people wish

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to speak beyond the 15 minutes they can speak at the end of the agenda. Advance sign up will be allowed on the Friday before the meeting.

Selectman Greene noted the limitation of once every four meetings, and the item that addresses inappropriate conduct; he wondered if this was necessary.

Selectman Daly replied that the four week policy stems from people showing up every week with the same message. She also noted that inappropriate conduct should not be allowed whether addressed towards a Selectmen or anybody else.

Selectman Heller suggested that the Chair could waive any requirements if deemed appropriate.

On motion it was,

Voted to amend the Policy on Public Comment at Selectmen's Meetings.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

LETTERS OF INTENT

Question of authorizing the Chairman to execute Letters of Intent with Blue Wave Capital in connection with solar installations on municipal properties.

Lara Curtis from the Planning Department updated the Board on the program. They have been working with Blue Wave in efforts to identify appropriate Town-owned properties suitable for solar panels. They have identified eight properties.

Mark Sylvia with Blue Wave gave a PowerPoint presentation addressing the eight sites. The candidates are: Brookline transfer station, Runkle School, Brookline Swimming Pool, Brookline Library, Fire Station #5, Soule Gym, Brookline High School, and Devotion School.

Sandra Brown of Blue Wave reviewed the letters of intent. There are two LOIs because Brookline's solar projects can be divided into two separate groups; one identifying projects that are ready to move forward and the other projects that may have a longer timeframe. She also reviewed the overall energy savings which is close to 2.4 million kilowatts annually.

The Board noted that this is in relation to securing eligibility for renewable energy certificates.

Selectman Heller added that this would help reduce carbon emissions.

On motion it was,

Voted to authorize the Chairman to execute Letters of Intent with Blue Wave Capital in connection with solar installations on municipal properties.

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Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

REBATE

Question of accepting a Rebate in the amount of \$3,850.00 from NStar Electric/Eversource Energy in connection with energy efficient programs.

Assistant Town Administrator Austin Faison stated that this rebate is related to energy efficiency efforts.

On motion it was,

Voted to accept a Rebate in the amount of \$3,850.00 from NStar Electric/Eversource Energy in connection with energy efficient programs.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

CHANGE ORDER

Question of approving Change Order #4 in the amount of \$505.00 for work to be completed by Life Safety Improvements in connection with Fire Stations #5 and #6 Life Safety Improvements Project.

Project Administrator Tony Guigli stated that this is for a new internal paging system.

On motion it was,

Voted to approve Change Order #4 in the amount of \$505.00 for work to be completed by Life Safety Improvements in connection with Fire Stations #5 and #6 Life Safety Improvements Project.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

AMENDMENT

Question of approving Amendment #12 in the amount of \$28,600 for work to be completed by HMFH Architects in connection with the Edward Devotion School Renovation Project.

Project Administrator Tony Guigli stated this relates to the garage at the site. It is a complex intersection of where the older building meets newer buildings, and includes excavation and boring work.

On motion it was,

Voted to approve Amendment #12 in the amount of \$28,600 for work to be completed

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by HMFH Architects in connection with the Edward Devotion School Renovation Project.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

DEVOTION SCHOOL TRADE CONTRACTOR PREQUALIFICATION COMMITTEE

Question of appointing the Edward Devotion School Trade Contractor Prequalification Committee.

Project Administrator Tony Guigli stated that this committee will review both the early bid packages and final bid package. This is required by law.

The members are: Kenneth Kaplan, Building Commission Ray Masak, Building Department, Jonathan Hirst, Shawmut Design and Construction, John Miller, HMFH Architects, alternate Russ Hoogasian.

On motion it was,

Voted to appoint the Edward Devotion School Trade Contractor Prequalification Committee. Kenneth Kaplan, Building Commission Ray Masak, Building Department, Jonathan Hirst, Shawmut Design and Construction, John Miller, HMFH Architects, alternate Russ Hoogasian.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

PROPRIETARY ITEMS

Question of approving proprietary items for the Edward Devotion School Project.

Project Administrator Tony Guilgi stated that these items are recommended to provide a uniformity of systems. He has consulted with the appropriate departments on the items, and they are in agreement of the use.

Selectman Daly explained that proprietary items do not need to go through the whole bidding process requiring three bids; this allows the town to use certain products in efforts to keep a system in uniform and/or compatible.

On motion it was,

Voted to approve proprietary items for the Edward Devotion School Project.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

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CONTRACT AMENDMENT

Question of approving and executing a Contract Amendment #1 in the amount of \$14,750 with HKT Architects in connection with the Municipal Service Center.

Project Administrator Tony Guigli stated that this relates to structural engineering services at the municipal center.

On motion it was,

Voted to approve and execute a Contract Amendment #1 in the amount of \$14,750 with HKT Architects in connection with the Municipal Service Center.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

INCIDENT UPDATE

Police Chief Daniel O'Leary will brief the Board on the shooting/stabbing incident that occurred on Wednesday January 27th.

Chief O'Leary updated the Board on a recent incident in Brookline on January 27, 2016, involving a home invasion, shooting, and stabbing. There were two crimes scenes, one on Harvard Street and one on St. Paul Street. He thanked Boston Police, Brookline Fire ambulance and Brookline's DPW who all assisted in the investigations.

A call came in from a resident at St. Paul Street; a second call came in right afterwards on a person struck on Harvard Street.

Chief O'Leary outlined the incident which included violent attacks in an apartment on St. Paul Street, and an incident on Harvard Street where the wounded were dumped out of a vehicle; there was an ambulance parked at that location and the paramedics immediately went into action in life saving measures. These were related incidents, and all involved are believed to be known to each other.

Chief O'Leary outlined some of the investigation process and to date three of the four suspects are under arrest.

Three local schools were in lock down due to the proximity of the crime scene. The investigation is still ongoing.

The Chief thanked the citizens that came forward and provided important pieces to the investigation.

The Board thanked the Chief for the update, and acknowledged the efficiency the Department

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presented during this difficult investigation.

The chief replied that off duty officers and dispatch personnel came in without being asked to assist.

BOARD AND COMMISSION INTERVIEW

Commission for the Disabled.

Robert Heist is a new applicant and suffered a spinal cord injury in a water skinning accident when he was 22 years old. Since then he has been dealing with wheelchairs and maneuvering them through barriers, and over the years he has seen good design and poor design in handicapped accessibility measures. He feels that there has been improvement in recent years but, with new technology there could be more done to assist the disabled in the community.

SNOW/ICE DEFICIT

Question of invoking Massachusetts General Law Chapter 44, Section 31D to allow the Department of Public Works to expend funds in excess of the FY2016 Budget appropriation for Snow and Ice Control.

Commissioner Pappastergion stated that they budget very low for snow and ice control realizing that at some point they would invoke Chapter 44, section 31D which allows municipalities to put that account in a deficit and reconcile it at the end of the season.

The salt bins are full and there has been no need to hire contractors so far this season.

On motion it was,

Voted to invoke Massachusetts General Law Chapter 44, Section 31D to allow the Department of Public Works to expend funds in excess of the FY2016 Budget appropriation for Snow and Ice Control.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

PAY AS YOU THROW UPDATE

Interim update on the Town Administrator's Task Force on Pay As You Through (PAYT).

a. Question of authorizing the Public Works Commissioner to acquire Automated Sanitation Equipment.

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Town Administrator Mel Kleckner stated that the town has been studying a Pay as You Throw program (PAYT) for some time. The current task force is reviewing size, quantity, fees etc, related to the bins to be used in such a program, and some interesting work is still to be done.

Related to the PAYT program is automated trash collection. The panel unanimously felt that an automated trash collection is the way to go. This vote would authorize the Public Works Commissioner to purchase the necessary equipment, which has been budgeted.

There are some issues that they are aware of concerning residents in multiple dwellings and some with compromised access. These issues will be addressed on a one on one basis.

Selectman Daly said that she has heard from residents with concerns about the bin size and asked if the automated trucks can handle more than one bin size.

Commissioner Pappastergion replied yes.

Selectman Greene stated that the current system picks up mixed waste that is put into plastic containers. He feels that these new bins may reduce rodents and other animals getting into the trash; he hopes this will be an improvement. He also asked if the reduction in laborers would be a result of attrition.

Mr. Kleckner replied yes.

On motion it was,

Voted to authorize the Commissioner of Public Works to procure two 32 cubic yard rubbish packers with automated side loader equipment and to enter into a three-year lease purchase program as funded in the Sanitation program's capital outlay account within the Department of Public works' FY 2016 Budget.

Aye: Neil Wishinsky, Nancy Daly, Benjamin J. Franco, Nancy Heller, Bernard Greene

1180 BOYLSTON STREET

Public Hearing on the application of Chestnut Hill Investments, LLC for a 40B Project at 1180 Boylston Street.

Chairman Wishinsky stated that this is a public hearing on a 40B project and there are two other projects that will be before us. This is the first phase of the site approval application process that will be sent to MassHousing. As part of the review process the local authorities submit comments and issues raised in relation to the proposed project as part of the Town's response. Tonight's comments will be incorporated into that response letter. A number of departments have already reviewed the proposal and are also drafting a response letter.

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Polly Selkoe, Assistant Director of Regulatory Planning stated that MassHousing, the subsidiary agency has notified the Board of Selectmen that they have received a project site eligibility application for a mixed use development at the corner of Boylston Street and Hammond Street. The project consists of 45 age restricted units with 9 affordable, and ground level retail space. If MassHousing approves the application she hopes the developer will work with the town on design issues and impact to the abutters. This is the first of several 40B projects awaiting process; one, at Hancock Village and one at 40 Center Street.

Architect Haril Pandya from CBT Architects gave a presentation of the proposed project. This important site is a gateway heading into the city. The project will have rental units with retail space. The warmer tones keeps in flair of the overall neighborhood, and the site will be inviting and create a corner that is a destination. Glass will provide visibility and there may be opportunity for roof decks. The design peels back some layers in the back to a respectful scale.

Mr. Pandya outlined the parking garage that will have a lift system and a valet service to accommodate 80 vehicles.

Bob Engler, Attorney for the applicant stated that there will be 9 affordable units at the lower income tier for seniors. This will give folks on a limited income in Brookline an opportunity to rent there; all the units will be the same, there will be no difference between the affordable units and the market rate ones. This is a long process that will be going through the Zoning Board. He also noted that all the units can be counted towards the Town's affordable housing stock.

Selectman Franco asked about the 80 parking spaces and if they will be divided between the retail space and the residential space.

Mr. Engler repaid that component will have to play out based on the retail component; there will be enough parking for all tenants. It is not known yet what type of retail will go there.

Raj Dhanda, owner/developer added that they expect to divide the retail space into three maybe four small retailers, perhaps a coffee shop where there is some setback for outdoor seating. He does not anticipate big retailers.

Selectman Daly asked about the parking garage and noted that an email was received asking about moving vans and larger trucks, and how they are going to fit in there.

Mr. Dhanda replied there is a loading area.

Selectman Heller asked if there are any environmental issues at that property.

Mr. Dhanda replied that the former owner, Cumberland Farms is obligated to keep testing the water and he receives monthly reports. This will continue for 6-7 years; there have been no problems environmentally reported on the site.

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Selectman Daly noted that this is a busy area and they frequently hear from neighbors about the long traffic queues, she asked if there were any traffic analysis done. Mr. Dhanda replied that there was one done on another proposal, and they will be doing one based on this proposal. The former use as a gas station had frequent use which he does not anticipate with an over 55 housing property, the traffic would not be as condensed into a short period of time, but that has not been explored yet. He added that given the location and its proximity to public transit, grocery stores and shops, he does not anticipate all units will have a car, plus he is considering a zip car be located there. He believes that this use will produce less traffic than the former gas station.

Selectman Franco asked about a shadow analysis, and placement of the mechanical equipment.

Mr. Pandya replied that the mechanicals will be contained within the units, and he does not anticipate any additional height added to the building. The shadow studies have not been done yet.

Selectman Greene asked how trucks will be organized during construction; this is a very busy intersection.

Mr. Pandya replied that he is confident that the contractor will put forth a plan.

The Board discussed the sidewalk width and it was noted that the plans have the sidewalk measurements as they are, there is an area that may have some peel back to widened it, 13 feet, not more.

Public Hearing:

Jerry Lazar, Craftsland Rd, said that in 46 years he has witnessed a lot of development in this area some horrendous, ugly and imposing, and some wonderful projects. The use makes sense, but he is concerned about the size of the building, it is massive, and quite imposing for that corner. Understanding that consideration of the appearance, the materials, and the step back were considered, he hopes that it will be less imposing for the community and the Zoning Board of Appeals (ZBA) will take this into consideration.

Planning Director Alston Steinfeld added that a 40B project falls under the control of the ZBA, and the developer can go beyond the traditional process where working with Planning Board is not a requirement. All information relating to the project will be posted on the Town's website.

Selectman Daly added that 40B projects can override local zoning controls, and the ZBA will review the design and decide how much push back can be done. The Selectman can express their concerns to MassHousing in their comment letter.

Julie Gross, Hammond Street, said that she lives very close to this proposed building and

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asked if 40B exceptions apply to mixed use buildings. She is concerned about traffic coming west and how they would get into the building, and also retail and visitor parking. This area already has limited parking available. Her other concerns include moving trucks going in and out, due to the rental model, increased traffic patterns, and the overall size and scale of the building.

Katherine Gerzon, Boylston St., representing the Shafranskiy, Calderone, Chen and Wong families and direct abutters said that she is extremely concerned about the scale of the project. The property she lives in was sold to them as affordable housing through the Town's program. She is concerned about increased traffic, and parking. She does not have a parking space and uses street parking which is limited. Ms. Gerzon also pointed out that the plans indicate the closest residential unit is 400 feet away, when in fact her building is eight feet away, she feels they are being ignored during the process. Other concerns are, air pollution with their windows so close, sunlight, and mechanical equipment location which could face their porches. Ms. Gerzon also noted that the property owner has been negligent in snow removal efforts and debris removal.

Chairman Wishinsky replied that they can request that the applicant identify and examine effects on the abutting properties.

A 629 Hammond St. resident said that she supports the previous comments and is concerned about the size of the project, and hopes that some real life issues be incorporated into the plan. It is a busy corner even without the gas station there; there is no less traffic with the gas station gone. The size is a concern and the unusual parking plan that uses a lift and a valet, this does not seem realistic, and the retail visitors will most likely not use that option. She asked if 40B projects can override all zoning requirements.

Planning Director Alison Steinfeld replied that the applicant may seek waivers to override all zoning under 40B, the ZBA can consider denying the waiver, and it will then go to the state level. This is a strict law designed to create affordable housing.

Janice Kahn TMM#15, Craftsland Rd said that there is a lot to like about this project. It encourages a vibrant street scape with both commercial and residential space, instead of getting another bank in the area. It also adds diversity to the housing stock with a 55 plus development, which may allow residents to stay in the community. She also likes that it will go from three curb cuts to one which is good for pedestrian safety. Ms. Kahn is concerned with how it will fit into the neighborhood; it will tower over everything in the area. She hopes the design can make some of the massing disappear. Also, the direct abutters that bought property through affordable housing should have access to light and air, and hopes the developer will work with the Town and the project not end up being appealed to the State. Also, that the neighborhood be involved in a positive way, and future work that may require blasting be reviewed to protect the neighbors.

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Elias Delany, Hammond St. and direct abutter said that he is not opposed to the project, but is concerned with the already heavy traffic and significant difficulties his own tenants have finding parking spaces. He hopes some kind of condition could be applied that the applicant provides adequate functional parking for the residents, commercial, and customers, other than relying on a valet service. He agrees that the corner needs something that would enhance the community.

Debbie Inchierca, Boylston St. said that the proposed building is way too big for the area, and is concerns about the driveway on Route 9, it comes up shortly after the light and could cause a significant traffic jam. She is not sure the stacking parking will be useful for visitors and there already is a coffee shop in the neighborhood.

Sergey Shafranskiy, Boylston St. direct abutter said that he lives on the first floor and is concerned about traffic, child safety with the driveway, the fencing that would block his windows, and air and light quality. He added that it is nice to build something beautiful there, but hopes their concerns are considered as well.

Jaak Vilms 629 Hammond St., asked if the State agency would actually own the building, because they seem to have total control over the design. . Who owns this building, what is their reputation, and what if it does not work and there is a problem, there is no recourse. He is also concerned with size of the building.

Selectman Daly replied that State law encourages affordable housing, and if a developer builds a building with a certain amount of affordable units, that provides incentives to override local zoning regulation.

Chairman Wishinsky added that citizens have the right to ask for pro-forma financial statement, and supporting documents that the massing they are asking for is appropriate.

Ms. Steinfeld added that there are adjustments that can be made, and hopes that the Selectmen will encourage the ZBA to do so, and that the developer can work with us to incorporate a better development.

Chairman Wishinsky summarized the comments;

- Impacts on the immediate abutter
- Location of the driveway
- Massing, size and height
- Number of units
- Square footage of the commercial space
- Traffic and parking, and pedestrian access
- Environmental issues

Chairman Wishinsky concluded that there is potential to life to that area and it needs it, also the 55 plus housing would have no impacts on the school system, and the curb cut is

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reduced. With the appropriate adjustments it could be a great design.

With no more comments the public hearing was closed.

BOARDS AND COMMISSIONS - APPOINTMENTS

Question of making appointments/reappointments to the following Boards and Commissions:

Commission for the Disabled

On motion it was,

Voted to appoint Myra Berloff to the Brookline Commission for the Disabled for a term ending August 31, 2018 or until a successor can be appointed.

Voted to appoint Robert Heist to the Brookline Commission for the Disabled for a term ending August 31, 2018 or until a successor can be appointed.

Voted to appoint Elaine Ober to the Brookline Commission for the Disabled for a term ending August 31, 2017 or until a successor can be appointed.

Voted to appoint Henry Winkelman to the Brookline Commission for the Disabled for a term ending August 31, 2016 or until a successor can be appointed.

Preservation Commission

On motion it was,

Voted to appoint David Jack to the Preservation Commission for a term ending August 31, 2018 or until a successor can be appointed.

River Road Study Committee

Selectman Franco stated that there was concern with the lack of diversity and local representation on the committee. This is a temporary committee with no set term limits.

On motion it was,

Voted to appoint Linda Olson Pelke to the River Road Study Committee

Voted to appoint Mariah Nobrega to the River Road Study Committee

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Voted to appoint Marilyn Newman to the River Road Study Committee

Voted to appoint Yvette Johnson to the River Road Study Committee

Women's Commission

On motion it was,

Voted to re-appoint Chris Chanyasulkit to the Women's Commission for a term ending August 31, 2018 or until a successor can be appointed.

Voted to re-appoint Cheryl Ann Snyder to the Women's Commission for a term ending August 31, 2018 or until a successor can be appointed.

Voted to appoint Sonal Jhaveri to the Women's Commission for a term ending August 31, 2018 or until a successor can be appointed.

There being no further business the Chair adjourned the meeting at 9:55 pm.

ATTEST

RECORD

BROOKLINE SCHOOL COMMITTEE MEETING
REGULAR MEETING

1/21/16

6. PRESENTATIONS AND DISCUSSION OF CURRENT ISSUES**b. Status Update and Further Discussion of 9th School Site Analysis and Timeline****(Joint meeting of the School Committee and Board of Selectmen)**

The Joint Meeting of the Board of Selectmen and School Committee was called to order. School Committee members present: Ms. Ditkoff (Chairman), Ms. Scotto (Vice Chairman), Mr. Chang, Ms. Charlupski, Mr. Glover, Dr. Jackson, Mr. Pollak, Ms. Stone, and Ms. Stram.

Selectmen present: Mr. Wishinsky (Chairman), Ms. Daly, and Ms. Heller.

Selectmen absent: Mr. Franco (After consultation with the State Ethics Commission, Mr. Franco has been advised to recuse himself from participation in the site selection process as his participation would violate Section 19 of Chapter 268a.) and Mr. Green.

Staff present: Dr. Connelly, Mr. Kleckner, Ms. Brewton, and other administrative staff.

Dr. Connelly and Ms. Brewton provided an update on the 9th Elementary School Site Analysis (Attachment A). Dr. Connelly explained that increased enrollment is driving the need for a 9th elementary school. He provided data on current and projected enrollment. Enrollment has increased by 1,034 students from 2010-2011 to 2015-2016 and is expected to increase by another 1,179 students by 2020-2021. We project that the high school will have approximately 2,400 students by 2020-2021. We are currently short four classrooms and project we will need an additional 30 classrooms by 2020-2021. Possible short-term solutions until a 9th school could be built include the following: additional modulars; additional rental space; create substandard space without schools; larger class sizes; core facilities remain inadequate. Classroom capacity estimates do not take into account Brookline Early Education Program (BEEP) classrooms, school staff in rented space, and the potential for more aggressive growth from new developments.

Dr. Connelly provided an update on the Massachusetts School Building Authority (MSBA) decision on the district's Statement of Interest for the renovation and expansion of Brookline High School (BHS). The MSBA did not approve the BHS Statement of Interest (SOI) to collaborate in the expansion. The MSBA Executive Director recommended that Brookline revisit the SMMA Further Study of Brookline High School during the next year and look again at the options presented in it. Mr. Kleckner referred to his January 21, 2016 memo (Attachment B), which notes that "Communities that submit two projects at the same time are routinely directed by MSBA to identify the relative priority of each project. Therefore, it is critical for the Town to identify its top priority for state funding. To date, we have recommended that the High School project be designated for MSBA participation. This is based upon the anticipated scale and associated cost of the High School project, the relative uncertainty of the nature of this project (the 9th elementary school) and the urgent timeframe of the 9th Elementary School project that would be compromised by MSBA involvement."

Ms. Brewton reviewed the timeline. Operating under the assumption that if the boards decide on a final site prior to October 1, 2016, the earliest a 9th elementary school can be built and on line is the fall of 2021. She presented additional detail on the six sites identified by the November 2015 Civic Moxie study and updated the boards on the potential consideration of sites in South Brookline, including Baker School and Pine Manor College. In addition, the Boards

reviewed a memo from Town Counsel regarding possible restrictions on the use of town-owned sites for the purposes of constructing a public elementary school (Attachment C). Ms. Brewton presented two potential alternatives to the Isabel School: Pine Manor and Baker School. Mr. Kleckner noted that he met with the Pine Manor Interim President who indicated that selling off additional parcels is not part of their strategic plan. Mr. Kleckner responded that we would like to continue to think about this and may come back to them if we are able to develop a plan that might be mutually beneficial. Ms. Brewton reviewed the recommended next steps: next joint meeting to analyze and discuss all six sites; decisions to be made before the February 9, 2016 Building Commission meeting: either 1) select which sites should have new or revised preliminary schematics or 2) select one-two finalist sites as potential Committee of Seven candidates.

Comments:

There would need to be a number of conversations before we could make a decision on whether to forego possible MSBA reimbursement for a 9th school.

Board members requested a more detailed timeline that shows all decision points.

A study that goes beyond the CivicMoxie level of depth could be \$100,000-\$150,000 per site; could do additional studies at the CivicMoxie level for less money.

Take options off the table that would be unreasonably difficult per Town Counsel's memo.

(None of the options are easy.)

Consider the revised Stop & Shop option, given the need for more capacity in North Brookline.

Need more information on the Stop & Shop option before moving forward (Who owns it? How long is the lease?)

What portion of the Baldwin site is not subject to Article 97?

Parks and Recreation would need to be on board for any proposals relying on park land.

What is the latest date we could decide whether or not to proceed with a Committee of 7? (Ms. Brewton will look into this, but possibly one or two months.)

We need additional information; \$100,000-\$150,000 is a small percentage of the total cost of the project. (We may have funding to do one or two sites.)

We don't have enough information to narrow it down to two sites. We need staff to present the pros and cons of each option and what additional information would be needed to get to a decision point.

Do due diligence on at least two sites between February and August and try to pick a final site in the fall and then start schematic design.

We will never have perfect information, but what level of information do Board members need to pick two sites to do due diligence on?

How do we study sites we don't own (for example, conducting a geotechnical study)? (We would need to get permission from the property owner.)

Staff was asked to identify the pros and cons of each option.

Board members will be asked to rank order the options.

A Joint Meeting of the Board of Selectmen and School Committee will be scheduled for early February (possibly February 4th, 10th, or 11th).



Town of Brookline

Massachusetts

**Department of Planning and
Community Development**

Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442
TTY (617) 730-2327

**Alison Steinfeld
Director**

MEMORANDUM

To: Board of Selectmen
CC: Kara Brewton, Alison Steinfeld (via email)
From: Andy Martineau
Date: February 4, 2016
Re: Recommendation on Cutty's Façade Loan Application

The Town of Brookline façade loan program was established to encourage business and property owners to undertake improvements to their commercial storefronts. This program is offered through the Economic Development Division of the Planning and Community Development Department to support Brookline's commercial areas. The program's objective is to create lasting community benefits that go beyond the individual storefronts that enhance the overall streetscape and strengthen the identity of our commercial areas. Eligible Improvements are limited to those that will be made to the exterior front or sides (facades) of buildings that impact the visual aesthetics of the property. Exterior painting, signage, awnings, lighting, windows/door replacement or modification, and building /storefront/façade restoration are eligible as well as minor landscaping.

The enclosed application submitted by Charles Kelsey, owner of Cutty's, includes several improvements that satisfy the eligibility criteria for the Town's façade loan program. The scope of the project includes the restoration of three transom windows and two storefront windows to their original appearance as well as replacing the entry door with a new door that meets building code requirements for height. The new windows and entry will be comprised of insulated glass. By restoring this storefront, the unit will appear as it did when the building was originally constructed. Additionally, Charles anticipates restoring his current storefront in the coming year so both sides will match. This proposal will create lasting community benefits as well as strengthen the identity of Brookline Village by restoring and preserving the character of one of the district's highly visible storefronts.

This project has a total estimated cost of \$23,865. Staff has reviewed the cost estimates provided and determined that at least \$9,000 of work, including new window glass and glazing, new door/frame and paint is eligible for façade loan funding. The Planning Board has approved the plans and the Economic Development Advisory Board has endorsed the project to receive façade loan funds in the amount of \$9,000 to be distributed upon completion of the work.



Department of Planning and
Community Development
Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442
Alison Steinfeld, Director

Town of Brookline

Massachusetts

FAÇADE LOAN PROGRAM APPLICATION

Name of Applicant Charles Kelsey

Name of Business Cutty's

Address of Business 284 Washington Street

Telephone Number 617-938-8400 Fax Number _____

Email Address cuttyfoods@gmail.com

Type of Business Sandwich Shop Loan Amount \$10,000

Applicant is the ☐ Property Owner ☒ Business Owner

Property Owner's Name (if different) Carmen Stroschio

Property Owner's Address 88 Longmeadow Road, Norwood, MA 02062

Property Owner's Signature *Carmen Stroschio*

Property Owner's Telephone Number 781-762-1023

Please attach a description of the scope of work and estimated budget for the façade improvement. In addition, include sign plans (including photo simulations) illustrating the proposed façade improvements. Mail or hand deliver the completed application to: Economic Development Division, Town of Brookline, 333 Washington Street, Town Hall, Brookline, MA 02445

Studio FKIA							
cutty's - storefront							
01.18.2016							
item	duration	labor	materials	cost	cost	completed	notes
storefront - exterior		\$10,600.00	\$11,600.00	\$22,200.00	\$22,200.00		
fkia							
demo front		\$2,000.00					trash removal
construct mahogany frame, insert temporary plywood		\$3,300.00	\$2,500.00				
insulated glass			\$4,500.00				
insert glass and mahogany stops		\$2,000.00	\$550.00				
prime and paint		\$3,300.00	\$550.00				
aluminum door and frame			\$3,500.00				estimate
total project				\$22,200.00	\$22,200.00	\$0.00	
overhead and profit - 7.5%				\$1,665.00			
total				\$23,865.00			



Town of Brookline

Massachusetts

PLANNING BOARD

Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442

SIGN/FAÇADE REVIEW

Linda K. Hamlin, Chairman
Steven A. Heikin, Clerk
Robert Cook
Blair Hines
Sergio Modigliani
Mark J. Zarrillo

To: Brookline Building Commissioner

From: Brookline Planning Board

Date: December 16, 2015

Subject: Restore transom and storefront windows, install new door and move existing sign for Cutty's expansion (formerly Marvel Salon)

Location: 284 Washington Street

Atlas Sheet:	36	
Block:	176	Zoning: G-2.0
Lot:	32	Lot Area (s.f.): ±2,160

SITE AND NEIGHBORHOOD

284 Washington Street is located on the south side of Washington Street between Davis Avenue and Thayer Street. The property is a three-story commercial and residential building with two storefront businesses. It was built in 1876-77 and built in the panel brick style, with decorative brickwork between the floors. This building is within the Brookline Village National Register District.

APPLICANT'S PROPOSAL

The applicant, Charles Kelsey, is in the process of renovating and expanding into the storefront next to his existing business. The renovation includes restoring two transom windows that were enclosed by a previous tenant, installing a new wooden door, and moving the previously approved sign and bracket light fixture currently installed above the entrance to the existing business to the entrance to the expansion space. The sign is a wooden façade sign with orange PVC letters. The sign is constructed of aged barnboards measuring a total 32" by 48". The letters on the sign are 10" tall and 1" thick.

FINDINGS

Section 7.06 Regulated Façade Alterations

PLANNING BOARD DECISION

The Planning Board supports this proposal. The Board appreciates the applicant's willingness to restore some of the building's architectural features by exposing the transom windows and installing a new door.

Therefore, the Planning Board approves the plans by Claudia Noury-Ello, last submitted on 11/24/15, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit three copies of the final plans, including floor plans, subject to the review and approval of the Assistant Director of Regulatory Planning or designee.
2. Any future window or door signage for either storefront is subject to the review and approval of the Assistant Director of Regulatory Planning or designee.
3. The applicant shall review paint colors with staff prior to making any changes to the storefront.

apm



Image 01. CUTTY'S existing adjacent storefront



Image 02. CUTTY'S proposed adjacent storefront
1. new 7'-0" tall door

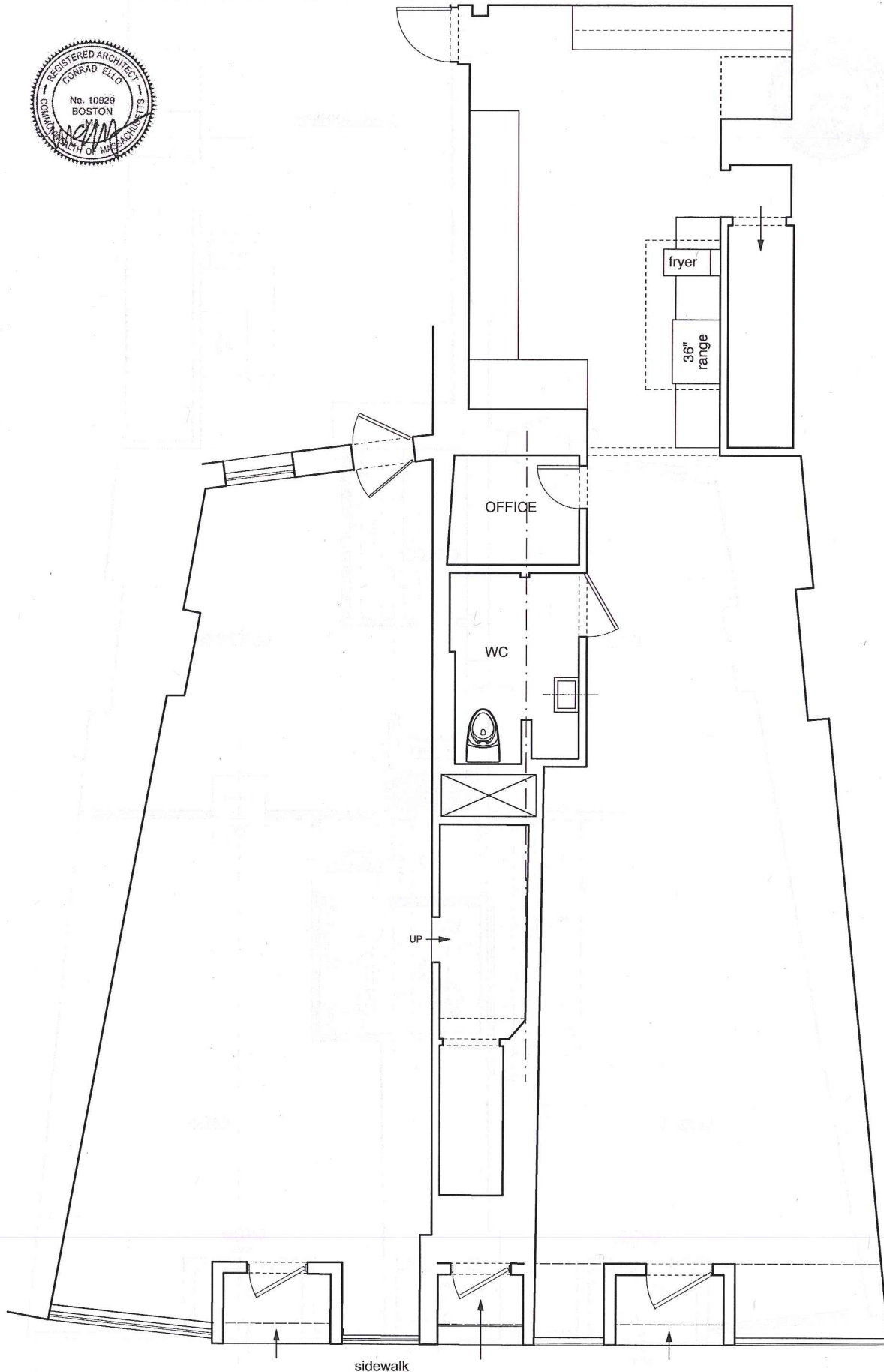
2. restore original, large storefront windows and transoms (46"w x 84-1/4"h window, 46"w x 30"h transom) (46"w x 84-1/4"h window, 46"w x 30"h transom) (46"w x 84-1/4"h window, 46"w x 30"h transom)

APPROVED
PLANNING & COMMUNITY DEVELOPMENT

[Signature]

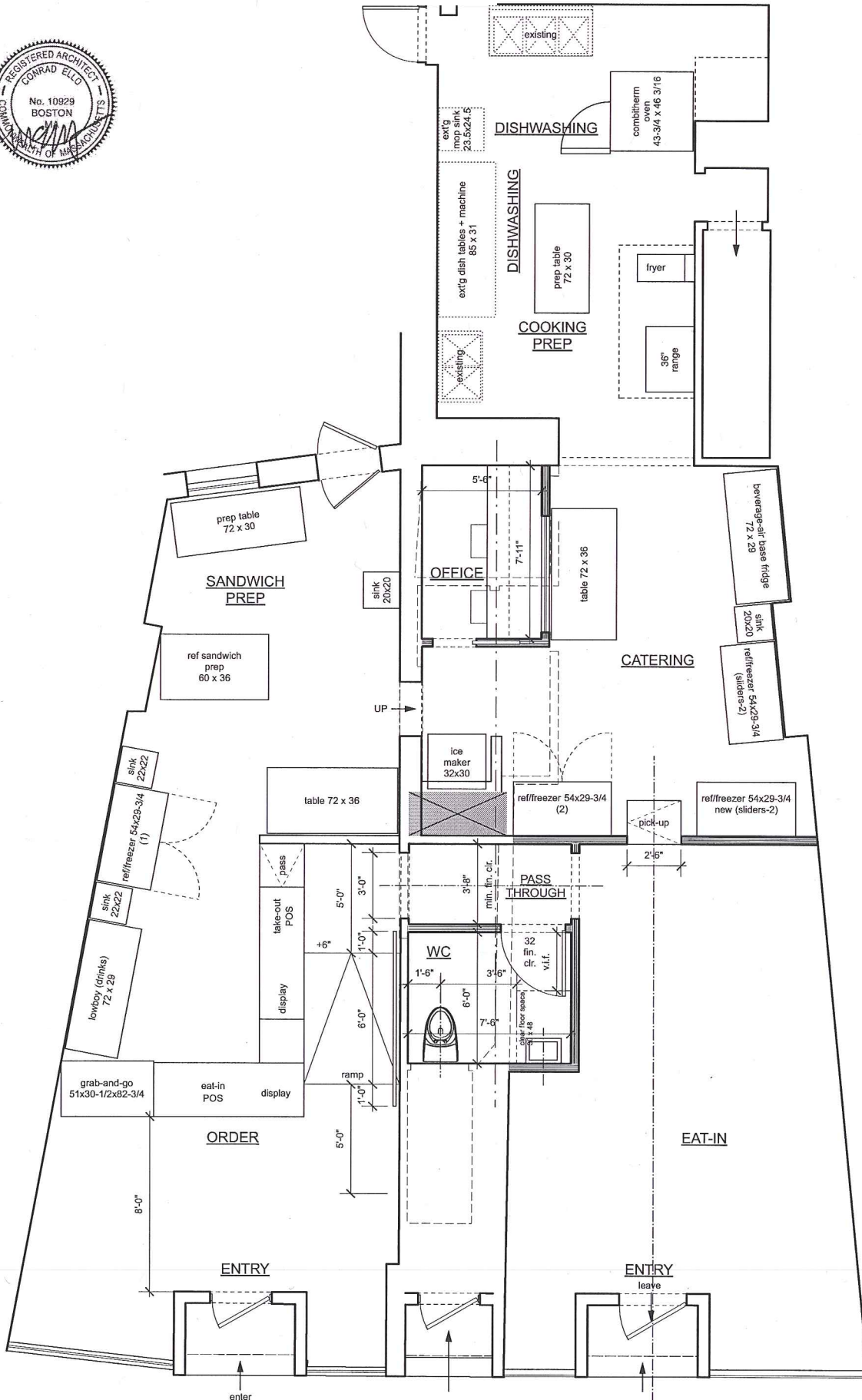
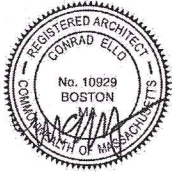
DATE: 1/28/16

B. - 7



EC1.0	DATE: 12.04.2015	ISSUED FOR: PERMIT	284 WASHINGTON STREET, BROOKLINE MASSACHUSETTS CUTTY'S	NOURY-ELLO ARCHITECTS 46 Waltham Street, Suite 210 Boston, MA 02118 tel 617.529.1326 fax 617.422.0981
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B. - 8



Scoring Criteria	Street Scape Enhancement/ Strengthen Area ID	Weighted Score	Positive Lasting Community Impact (including energy efficiency)	Weighted Score	Cumulative Score	% Score	Relative Score (Cum Scores Total)	Actual Funding
Applicant	Score	0.4	Score	0.6		4	3.6	
Cuttys	3	1.2	4	2.4	3.6	90%	100%	\$9,000
Max Funding								
\$10,000								
Scoring								
4 = Excellent (Scope of work goes above and beyond category requirements (i.e. multiple energy efficient upgrades and/or multiple façade improvements which substantially improve upon visual aesthetics, streetscape and commercial area identity including, new signs, awnings, building restoration, paint, lighting, window/door replacement or modification, minor landscaping)								
3 = Good (Scope of work includes multiple improvements, with some impacts on visual aesthetics, or street scape or commercial area identity including, new signs, awning repair/replacement, paint, lighting, minor landscaping)								
2 = Satisfactory (Scope of work only slightly improves upon existing façade with few if any impacts on visual aesthetics, or streetscape or commercial area identity. This may include a new storefront sign and some paint work)								
1 = Minimum (Scope of work qualifies for funds, but does not impact visual aesthetics, streetscape or commercial area identity) Work includes sign replacement with little to no other alterations/improvements made to the façade.								
0 = Not applicable (Scope of work does not qualify for funding and/or does not yield any impact on visual aesthetics, streetscape or commercial identity)								

Façade Improvement Loan Program Agreement between the Town of Brookline and Howard Leeder of Leeder Management Co.

This Agreement is entered into this ____ day of February, 2016 between Charles Kelsey (hereinafter known as the Recipient), owner of Cuttys, 284 Washington Street, Brookline, Massachusetts and the Town of Brookline acting through its Board of Selectmen (hereinafter referred to as the "Town").

WHEREAS, the Town's Façade Loan Program (the "FLP") was established to encourage business owners and property owners to undertake improvements to their commercial storefronts. The FLP provides up to \$10,000 in funds to eligible local businesses. The objective of the FLP is to create lasting community benefits that go beyond the individual storefronts; that enhance the overall streetscape and strengthen the identity of our commercial areas. Eligible Improvements are those that are made to the exterior front or sides (facades) of buildings that impact the visual aesthetics of the property. Exterior painting, signage, awnings, lighting, windows/door replacement or modification, and building /storefront/façade restoration are eligible as well as minor landscaping; and WHEREAS, the Recipient filed an application for funding under the FLP and was determined to be eligible for up to \$9,000 to be used in connection with the installation of new window glass and glazing, new door/frame and paint; and

WHEREAS, the Planning Board and the Assistant Director for Regulatory Planning have reviewed and approved of the Recipient's sign and façade plans; and

WHEREAS, the Town agrees to reimburse the Recipient after all the work is completed in accordance with the approved plans;

NOW THEREFORE, the parties based on good and valuable consideration, the receipt of which is hereby acknowledged agree as follows:

1. Once new window glass and glazing, new door/frame and paint work is completed, the Recipient shall submit a payment request to the Economic Development Division of the Town of Brookline, including proof of expenses. The parties agree that the maximum reimbursement for this work and expenses is \$9,000.
2. The Town shall process a reimbursement check within 4 weeks of a site inspection by the Economic Development Division that confirms satisfactory completion of the principal of the work.

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3. The Recipient shall repay the Town in four equal installments and shall make such payments to the Town annually commencing in 2017, the year following this agreement date, as described more fully in the attached Promissory Note.

IN WITNESS WHEREOF, the Town and the Recipient have executed this Agreement as of the date first written above.

Executed this day of February, 2016.

RECIPIENT

TOWN OF BROOKLINE
BOARD OF SELECTMEN

By: _____
Charles Kelsey, Owner
Cuttys

By: _____
Chairman

B. - 12
TOWN OF BROOKLINE
FAÇADE LOAN PROGRAM
333 WASHINGTON STREET
BROOKLINE, MASSACHUSETTS 02445-6899

PROMISSORY NOTE

Borrower: Charles Kelsey
Property Address: 284 Washington Street
Brookline, MA 02445
Loan Number: FLP-8
Date: February 4, 2016

FOR VALUE RECEIVED, the undersigned Borrower(s) jointly and severally promise(s) to pay to the order of the Town of Brookline, acting by and through the Town Treasurer, or his or her successors and assigns (herein called "Lender"), the principal sum of **nine thousand** and 00/100 dollars (\$9,000), or such lesser amount as may be endorsed on this Note on behalf of Lender. The one-time fee for the loan shall be **one** percent (**1** %), or \$100, payable to the Town of Brookline, to be paid on the date of this agreement.

Payment of principal shall be made at such place as Lender may designate in writing and according to the following schedule:

Principal shall be paid on the anniversary of the date of this note in the amount of two thousand two hundred and fifty dollars (\$2,250) each year, commencing in 2017, with the fourth and final installment of two thousand two hundred and fifty dollars (\$2,250) due on the anniversary of the date of this note in 2020, unless a different amount or date is endorsed on this Note by Lender.

Borrower may prepay at any time all or any part of the principal amount due on this Note without the payment of penalties or premiums, provided that Borrower is not in default under this Note and the payment is identifiable as a prepayment of principal. In the event of a prepayment, Lender will notify Borrower of the new date and amount of the final payment due under this Note.

IF THE BORROWER SHALL DEFAULT in the payment of any installment due under this Note, and such default is not made good prior to the due date of the next installment, the entire unpaid principal amount of this Note, shall become immediately due and payable, at the option of the Lender, without notice to Borrower. Failure of the Lender to exercise such option shall not constitute a waiver of such default. No default shall exist by reason of nonpayment of any required installment of principal, so long as the amount of optional prepayments already made pursuant hereto equal or exceeds the amount of the required installment. If Lender exercises its option to declare the entire amount of Borrower's loan immediately due and payable as provided above, Borrower hereby agrees to pay Lender's cost and expenses of collection, including reasonable attorney's fees and court costs. If this Note is reduced to judgment, the judgment shall bear interest at the maximum rate permissible on such judgments in the State of Massachusetts, or if there is no such maximum, at the rate of fifteen (15) percent per annum.

All parties to this Note hereby waive presentment for payment, demand, protest, notice of protest, and notice of dishonor. The Borrower hereby waives, to the extent permitted by law, any and all homestead and other exemption rights which otherwise would apply to the debt evidenced by this Note. If the Borrower defaults it shall be responsible for all collection costs and fees, including attorney's fees.

IN WITNESS WHEREOF, this Note has been duly executed by the undersigned Borrower, as of the date shown below.

Charles Kelsey

NORFOLK, ss

Then personally appeared the above named Charles Kelsey, who presented the following identification
_____ and acknowledged the foregoing to be his free act and deed before me,

Notary Public

My commission expires _____



Town of Brookline

Massachusetts

**Department of Planning and
Community Development**

Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442
ASteinfeld@brooklinema.gov

**Alison C. Steinfeld
Director**

TO: Board of Selectmen
FROM: Polly Selkoe, Asst. Dir. for Regulatory Planning
DATE: February 5, 2016
RE: 1180 Boylston Street
Response to Notice of Application for C. 40B Site Eligibility Letter

Please see the attached letter to MassHousing responding to its request for comments on the site eligibility of a mixed-use 40B project at 1180 Boylston Street. It was prepared by the Planning Department staff and incorporates comments made by the Board of Selectmen and the public at its February 2nd public hearing, as well as comments solicited from Town Departments. If it meets with your approval, would you kindly authorize our sending it on the Board's behalf.

C. - 2

Jessica L. Malcolm, 40B Specialist
Comprehensive Permit Program
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

February 10, 2016

RE: 1180 Boylston Street, Brookline (ELEVEN80)
Brookline Response to Notice of Application for C. 40B Site Eligibility Letter

Dear Ms. Malcolm:

Thank you for the opportunity to provide comments on the application for Site Approval submitted by Chestnut Hill Investment, LLC to develop a mixed-use project of residential and retail uses under GL Chapter 40B at 1180 Boylston Street, Brookline. The Applicant is proposing to replace the prior gas and service station with a six-story building, which will include 45 age-restricted (55+) one and two-bedroom residential units (9 affordable and 36 market-rate) and one level of underground parking.

The Board of Selectmen requested comments from municipal departments, boards and commissions and also held a public hearing on February 2nd to solicit input from interested parties throughout the town. Clearly, there was not sufficient time to conduct a comprehensive review and, as expanded upon below, full and consistent information has not been provided. Accordingly, each department, board and commission looks forward to conducting a more intensive review during the Comprehensive Permit process, if MassHousing issues a Project Eligibility Letter (PEL) and the Applicant submits a Comprehensive Permit application.

I am pleased to convey the following comments on behalf of the Board of Selectmen:

- The Town of Brookline supports the provision of age-restricted affordable housing and has a long standing commitment to provide and maintain various forms of affordable housing. Attached is a summary of recent efforts by the Town of Brookline to retain, improve and expand the availability of affordable housing.
- The Town supports the tenets of SMART growth and transit-oriented development—both of which are promoted by the location of the proposed mixed-use development.
- This area of Route 9 warrants revitalization. A mixed-use structure consisting of active ground floor retail, age-restricted housing and parking presents significant potential to benefit the surrounding area and contribute vibrancy to the area.
- This location on Route 9 amid existing commercial and residential uses and near several means of public transit is an ideal location for age-restricted housing.

However, the Board of Selectmen has the following concerns:

- The Applicant should identify, examine and seek to mitigate any and all negative impacts to the general area including the property directly to the east of the site containing six affordable

C. - 3

condominiums for low and moderate income people (1164 Boylston Street) created through the Town's inclusionary zoning by-law, and the mixed use buildings immediately to the west and south of the site. The Board understands that the Planning Department, which provides staff support to the ZBA, will recommend to the Board of Appeals that it request the Applicant to provide an analysis of the impacts on the surrounding buildings including but not limited to shadows, lighting, air quality and excavation. The Town will require a construction management plan.

- The proposed structure overwhelms the site. It is significantly taller than surrounding buildings as well as those in the area as a whole. Therefore, the Applicant should reduce the footprint of the building to increase setbacks particularly from contiguous private property, and reduce the number of stories. Obviously, a reduction in density will allow for a commensurate reduction in parking.
- The Town hopes that the Applicant will incorporate architectural details and design modifications to minimize both the actual and perceived massing, keep the building more in scale with the surrounding neighborhood, ease the transition to adjoining sites, and limit encroachment onto abutting properties. The Town is anxious to work with the Applicant to refine the design and respectfully requests that MassHousing formally encourage the Applicant to participate in discussions relative to design modifications.
- The proposed parking scheme is particularly concerning.
 1. Insufficient and contradictory information has been provided relative to the number, nature, dimensions, and allocation of parking spaces. The Board expects that if the Applicant applies for a Comprehensive Permit from the Brookline ZBA, it will provide clear explanations as to the nature and placement of parking and expressly designate and clearly identify spaces for retail and residential uses (including visitors).
 2. The Board of Selectmen also expects the Applicant to address the impact that retail uses will have on the availability of existing on-street short-term parking in the immediate area.
 3. The Applicant is proposing a complicated parking system involving stacking, a lift, and a valet. The Building Commissioner has raised concerns regarding the plan labeled "lower level" showing 30 stacker spaces and 20 floor parking spaces. The fact that the parking spaces are 3 to 4 cars deep is particularly disconcerting. The design should be revisited to provide a more traditional parking approach or additional stackers instead of the proposed mix. Using a valet for that amount of tandem parking may result in cars queuing on Rte. 9 while waiting to get into the lot and force others to seek parking on local streets thereby impacting the on-street parking supply for area retail uses. The proposed configuration of the lower level will lead to long term enforcement issues for the Town. Accordingly, the Board of Selectmen is seeking a proven and functional parking plan that will not generate enforcement issues for the Town or exacerbate the existing on-street parking issues.
- The Fire Chief has raised concerns regarding the fire load of the proposed building, particularly as it relates to the underground parking. The Applicant is strongly encouraged to contact the Fire Chief as soon as possible in order to identify and address these concerns.

C. - 4

- Traffic in this area, particularly at the Hammond Street/Route 9 intersection, is already problematic. The Town will require a comprehensive traffic report prepared by a Civil Engineer. The traffic report should include mitigation recommendations to promote pedestrian safety and good traffic flow at the Hammond/Route 9 intersection, on Route 9, within the site and at the curb cut; and to provide for multi-modal site access. The study should expressly address the proposed location of the access and egress to the property particularly relative to the abutter and the Hammond/Route 9 intersection, site circulation, parking for moving and service trucks within the site, and the parking plan. The Building Commissioner has noted that the proposal provides for access to the garage by a two-way parking drive at the northeast side of the property of approximately 17' 4" wide, which is below the Town by-law's required minimum of 20' and will result in safety concerns for two-way traffic flow. If a delivery truck for the commercial uses or a moving van for the residential tenants is parked in the driveway, this will further exacerbate those safety issues.

We fully anticipate that the ZBA will request peer review of the traffic study and the parking plan, since this is such an important issue.

- The Geotechnical Report is unacceptable and needs to be redone, because the submitted report is based on several erroneous assumptions. Both the executive summary and project description state the building is four stories (not six) and will have two levels of underground parking (not one) and the lot size is listed as 16,900 square feet while it is listed as 14, 719 square feet on the survey plan.
- As is true of other Town officials, the Fire Chief is cognizant of the fact that the site previously housed a gas station and will require confirmation that gas storage presents no public safety issues. If environmental mitigation is not yet complete, the Town will require binding assurances that it will in fact be completed in a timely manner to the satisfaction of the Town.
- The Parks and Recreation Director has noted the lack of any usable open space for residents and has recommended that the project include, at a minimum, a landscaped rooftop courtyard for sitting and socializing and/or a walking "track" for exercising.
- Any affordable units shall be permanently affordable, and the entire project shall remain on the Subsidized Housing Inventory in perpetuity.
- The Building Commissioner has raised the following issues relative to the requested waivers: 1.) in terms of the zoning information provided in table format under the column label requiring "none generally" is misleading and should be better detailed and 2.) in requesting a waiver for all off-street loading requirements, the Applicant should explain how the commercial portions of the property will receive deliveries if no loading areas are provided.
- It would be very helpful to the Board of Appeals, staff and interested neighbors if the Applicant would provide a massing model of the proposed and abutting buildings and also stake the building's footprint on the site to illustrate the setbacks from the abutting properties.

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The Board of Selectmen strongly recommends that, in order to facilitate and expedite the Town's review of a Comprehensive Permit application, the Applicant: 1) address the issues that we have raised to date prior to submitting any application, and 2) incorporate the requested information and studies in its application if it receives a PEL.

If MassHousing issues a PEL to the Applicant, the Town looks forward to working with the developer and its architectural team to refine the proposal during the review process to address the above issues and concerns. Municipal staff is also available to meet with the Applicant prior to any formal process in order to address issues as early as possible; the Planning Department will coordinate these meetings and discussions.

.
Again, the Board fully anticipates that both the Planning Department and the Zoning Board of Appeals will identify additional issues following a detailed review of further information.

Thank you for your consideration.

Very truly yours,

Neil Wishinsky
Chairman

Attachment: Affordable Housing in Brookline

cc: Melvin Kleckner, Town Administrator
Alison Steinfeld, Planning Director

PREVIOUS MUNICIPAL ACTIONS TO MEET AFFORDABLE HOUSING NEEDS

The Department of Housing and Community Development's regulations for Comprehensive Permits under Chapter 40B direct that the Subsidizing Agency "tak[e] into consideration information . . . regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, [and] multi-family districts adopted under M.G.L. Chapter 40A...." Brookline has a robust commitment to multi-family and affordable housing, which is evident in its zoning by-laws and its funding and other support of affordable housing.

A. Multi-Family Housing in Brookline.

Brookline has nineteen (19) zoning districts that permit multi-family housing (more than a two-family structure) covering approximately 18% of the Town's land area. The impact of the Town's zoning is clear—approximately 20,360 units, or 77% of the Town's housing units, are in multi-family buildings.

Approximately half of Brookline households rent their homes. Of these renters, approximately 50% pay less than 30% of household income for gross rent. This rate is comparable to that of the entire Boston – Quincy – Cambridge Metropolitan Statistical Area and the state average.

B. Affordable Housing in Brookline.

Brookline has a longstanding commitment to affordable housing and has often been cited by state officials as an exemplar community for creating and preserving opportunities for affordable and multi-family housing that address the goals of Chapter 40B. As of February, 2016, 2,410 of the Town's 26,201 year-round dwelling units (US Census, 2010), or 9.2%, qualified for the Subsidized Housing Inventory,

as well as an additional 73 occupied affordable units serving households with incomes between 80% and 110% of area-median income. The current 40B-eligible units include 923 units owned and operated by the Brookline Housing Authority; 405 rental units owned by private investors; 769 rental units owned or controlled by non-profit organizations; 225 rental units permitted and/or in construction by 40B developers, and 88 owner-occupied homeownership units. Of the Chapter 40B-eligible units, a significant portion contains three or more bedrooms.

The Town has expended substantial municipal resources in support of all of its affordable housing programs and initiatives, facilitating the development and preservation of affordable housing, as more fully discussed below. Since 1992, the Town has spent more than \$20 million of Town appropriations, Housing Trust Funds, and Town controlled resources to support affordable housing. This is in addition to the more than \$10 million (\$9.7 million on operations and \$1.1 million on property modernization) expended annually by the Brookline Housing Authority. In 1987, the Town established an Affordable Housing Trust Fund, under the control of the Housing Advisory Board and the Board of Selectmen. The Town has regularly directed a portion of the Town's Free Cash to the Trust Fund under circumstances where the unreserved Fund balance is less than \$5

million, in order to ensure that significant resources are available without need for Town Meeting action whenever opportunities to support affordable housing projects arise. In accordance with this policy, the Town deposited \$163,078 into the Trust Fund in FY2015.

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C. Brookline's Affordable Housing Policies, Programs and Initiatives.

Under the direction of the Town's Housing Advisory Board, which provides advice and recommendations on the Town's affordable housing policies and initiatives, and the Housing Division of the Town's Department of Planning and Community Development, staffed by two (2) housing professionals who are responsible for implementing housing policy, the Town has employed a multi-faceted approach to increasing and preserving the Town's affordable housing stock. As discussed below, the Town uses virtually all possible opportunities and strategies to accomplish its goals, including regulatory incentives such as inclusionary zoning policies; financial and technical assistance to non- and for-profit property owners and developers to preserve existing affordable units and create additional affordable units through conversion and new construction; tax incentives; the utilization of Chapter 40B in Town-supported affordable housing developments; and technical and financial assistance to those seeking to purchase, rent and rehabilitate affordable homes in Brookline.

1. Inclusionary Zoning.

The Town has significantly increased the number of affordable housing units in mixed-income developments through the Town's inclusionary zoning provisions set forth in Section 4.08 of the Town's zoning by-law. Adopted in 1987 and revised several times since then, these provisions require developers of residential projects with 6 or more units to offer at least 15% of the units to households with incomes under 100% of area median income. At least two-thirds of these units must meet Chapter 40B requirements, that is, serve households with incomes under 80% of area median income. In lieu of providing on-site units, developers of projects with 15 or fewer units may choose to make a cash payment to the Town's Housing Trust in accordance with a specific schedule. This cash payment is based upon a percent of the sales price of each unit minus \$125,000 (the imputed price of an affordable unit). The percent charged ranges from 3% for a 6-unit project to 9.75% for a 15-unit project, encouraging developers at the higher end to provide on-site units.

Between 1996 and the present, these inclusionary zoning provisions have directly produced 104 affordable rental and condominium units (the majority of which serve households with incomes under 80% AMI) in 22 properties. In addition, the zoning by-law has resulted in \$6.4 million in contributions to the Town's Housing Trust Fund. This source, along with \$4.1 million in Town appropriations and \$1.4 million in investment income, has resulted in total revenues of over \$12 million to the Housing Trust since its inception in 1987. Housing Trust allocations have already leveraged much greater amounts of State, federal and private funding for Brookline projects.

Examples of projects developed under the Town's inclusionary zoning program include:

Goddard House, a 115-unit development, providing 17 below-market, assisted-living units to low- and moderate-income seniors;

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2. New Affordable Housing Development.

Brookline has provided financial support and assistance to developers of new affordable housing, including projects on private properties, as well as Town and other publicly-owned properties. These Town-funded developments went through an extensive planning process, resulting in designs compatible with the surrounding neighborhoods as more particularly described below.

The Olmsted Hill project, completed in 2012, is located on a 4.8 acre former Town-owned reservoir site in the single-family neighborhood of Fisher Hill. After several years of community planning and developer selection, the Town partnered with New Atlantic Development Corporation, which dismantled and filled two underground reservoirs, created a subdivision, sold 10 market-rate, single-family lots, and developed an affordable condominium complex. This project contains 24 affordable two and three bedroom units in three buildings, including 12 units that will serve families with incomes up to 80% of AMI and 12 units that will serve families with incomes up to 100% of AMI. The 2 ½ -story and 3-story multi-family buildings are designed to harmonize with the surrounding single family neighborhood by resembling a large estate home and carriage house. Permanent subsidy provided by the Town for the affordable units includes \$1,273,982 in HOME funds, as well as \$820,605 from Brookline's Housing Trust, \$2,326,600 in revenue from the sale of the lots and a discount to the developer by the Town on the value of the land. All 24 units were sold with long-term deed restrictions.

In 1999, the Town began working with the Archdiocese of Boston Planning Office for Urban Affairs (POUA) to develop St. Aidan's Church as a "friendly 40B" development. POUA submitted an application to the Board of Appeals that conformed to development principles and guidelines established by community process. The 59-unit development was completed in 2009, and includes 36 affordable units (20 low-income rental and 16 homeownership units); preservation of the church building through adaptive reuse; and conservation of open space and specimen trees. The 3-to 5-story buildings are organized around common green space designed for passive and active recreation. The Town's contribution of \$6.1 million in Housing Trust, HOME and CDBG monies leveraged \$5 million in gap funding from the state and \$4.5 million from private investors under the federal Low Income Housing Tax Credit program. This project was identified by Housing and Community Development Undersecretary Aaron Gornstein during his introductory remarks at the September 28, 2012 conference on Chapter 40B, co-sponsored by DHCD and CHAPA, among others.

Most recently, the Town supported the Brookline Housing Authority in its first venture as a developer of privately owned affordable housing. The Town provided \$4.3 million towards the development of a 32-unit Low Income Housing Tax Credit project, constructed on an existing under-utilized parking lot serving the BHA's Trustman Apartments. The project was completed in December of 2015 and is now fully occupied.

3. Renovation of Existing Affordable Housing Units

The Town supports the preservation of existing affordable housing by providing funding for capital improvements. The Town regularly funds improvements at Brookline Housing Authority developments, to which it has contributed over \$2.3 million. It also has assisted various residences serving individuals with special needs, including a total of \$363,000 to Humanity House, a home for 10 developmentally disabled individuals, and \$614,000 to a Pine Street Inn project in Brookline, a lodging house at 1043-1045 Beacon Street which serves 28 low-income individuals. Federal AARA dollars were allocated by the Town for energy-saving improvements to several properties controlled by nonprofits, including properties under the umbrella of Specialized Housing, Inc., which serves disabled adults at several locations in Brookline. The Town and the BHA have proven their commitment to modernizing and improving the Town's existing affordable housing stock.

4. Redevelopment of Existing Market Rate Housing.

Brookline has provided extensive financial and technical assistance to property owners and for-profit and non-profit entities proposing to redevelop existing market rate housing into affordable housing units.

Currently the Town is working with the Pine Street Inn to rehabilitate two lodging houses at 51-53 and 55-57 Beals Street. These long term lodging houses were managed by Pine Street under a lease with the owners since 2004. Pine Street Inn was able to purchase the property in 2014 with over \$1.9 million in Housing Trust, HOME and CDBG funds from the Town. The buildings are being redeveloped into thirty-one "enhanced" single room occupancy (SRO) units including small bathrooms and mini-kitchenettes.

In 2001, the Town financed the purchase of a dilapidated lodging house at 1754 Beacon Street by the non-profit Brookline Improvement Coalition, Inc. (BIC), the Town's Community Housing Development Organization, and assisted BIC in the selection of a non-profit developer to rehabilitate, own and manage the lodging house. Pine Street Inn, the successful applicant, used the Town's investment of over \$907,000 in HOME monies to leverage an additional \$1.6 million commitment from three state sources for the rehabilitation of this historic building. The 14 rooms and efficiencies, permanently affordable for income-eligible persons, were occupied in the fall of 2003. The project has been both nationally recognized for innovative use of HOME funds and by the Massachusetts Historic Commission as an exemplary preservation project.

During the summer of 2002, the Housing Division staff learned of another deteriorated lodging house on the market at 1876 Beacon Street. After several affordable lodging house operators viewed the property, the Town agreed to support Caritas Communities, Inc., in acquiring the building. At

the same time, the developer of Longyear Estates was seeking property to satisfy its off-site affordable housing obligation under the inclusionary provisions of the Town's zoning by-law. By partnering Caritas with Longyear and supporting Caritas in advocating for additional funding from state agencies, the Town was able to assure that Caritas received the \$1.1 million in gap funding required to complete the acquisition, rehabilitation and long-term affordability of another 15 S.R.O. units for lower-income individuals.

At the end of 2003, the Town was notified of the sale of a 6-family building at 154-156 Boylston Street. BIC purchased and completed the rehabilitation and occupancy of this building in 2005 with \$593,000 in Town-controlled CDBG funds, leveraging about \$500,000 in gap funding from the Massachusetts Housing Partnership.

5. Preservation of Affordability in Expiring Use and Other Projects.
Brookline also has actively sought to preserve affordability in its existing housing stock. One strategy has been to extend affordability at the Town's "expiring use" properties.

For example, in 2001, the Town assisted the Hebrew Rehabilitation Center for the Aged (Hebrew Rehab) in connection with its acquisition and rehabilitation of the senior housing at 100 and 112 Centre Street and 1550 Beacon Street, three such "expiring use" properties. The Town's commitment of \$1 million in Housing Trust funds and an agreement to terminate the projects' 121A tax agreements gave this non-profit the competitive edge needed to purchase the properties. At that time, only about 280 of 516 units were still affordable, with a potential loss of another 160 affordable units when restrictions expired in 10 to 15 years. As a result of the Town's commitment, Hebrew Rehab acquired and modernized the properties, and is operating them under the name of Center Communities of Brookline, with at least 60% (338) units preserved as affordable for an additional 40 years.

In 2004, the Town modified its 121A tax agreement with the owner of the subsidized project at 1371 Beacon Street, resulting in the extension of the affordability of the project's 30 units until 2028. The Town also negotiated with the Board of the 116-unit Brookline Cooperative, preserving 32 units as affordable condominium units, when the Co-op converted upon the expiration of the original HUD mortgage guarantee.

In 2015, Winn Development sought to pre-pay its federally-subsidized mortgage in order to take advantage of HUD's Rental Assistance Demonstration Program, which provides better protection for existing low-income tenants. The Town negotiated with Winn to increase the number of units that will remain affordable for the next thirty years. The

Town also hopes to work with the owner to preserve the 116-unit senior building on the property as permanently affordable with additional state and Town-controlled resources.

6. Other Affordable Housing Activities and Funding.

The Town actively supports affordable homeownership in several ways. It operated a first-time homebuyer down payment assistance program from 1992 until 2010. With assistance increasing over the years from a maximum of \$25,000 to a maximum of \$175,000 per buyer, the program provided over \$5 million in HOME and CDBG funds, with some of this total reflecting the recycling of loan payoffs upon resale. Since all new units are sold subject to permanent deed restrictions, the Town regularly exercises its right of first refusal by identifying eligible buyers and holding a lottery upon all unit resales.

In short, unlike many communities in the Commonwealth, Brookline's efforts to create, promote and preserve multi-family and affordable housing have been long-standing, committed, comprehensive and effective. Brookline has committed significant Town resources to these efforts and has made measurable progress in creating and preserving affordable housing. Affordable housing that has been created in the Town is subject to permanent affordability restrictions. Through its own efforts and close cooperation with private developers, Brookline has demonstrated that affordable housing does not need to be incompatible with sound planning objectives, environmental concerns or its surrounding community.



TOWN of BROOKLINE
Massachusetts

FIRE DEPARTMENT
HEADQUARTERS
PUBLIC SAFETY BUILDING

Paul D. Ford
Chief of Department

350 Washington Street
PO Box 470557
Brookline MA 02447-0557
Tel: 617-730-2272
Fax: 617-730-2391
www.brooklinema.gov

Mr. Mel Kleckner
Town Administrator
Board of Selectmen
333 Washington Street
Brookline MA 02445-6853

February 1, 2016

Dear Mel,

Walter Francis was a Brookline Firefighter from January 2004 until he resigned in August 2015 in order to relocate to Colorado with his family. His departure from the Department was under good terms. During his time as a firefighter he was extremely well thought of, had no disciplinary issues and a very good sick leave record.

On November 24, 2015 the BOS offered Mr. Francis a conditional offer of employment. I would respectfully ask that I be scheduled before the BOS on February 9, 2016 in order that I may now ask for an offer of employment. Said employment to become effective on February 15, 2016.

Sincerely,

Paul D. Ford
Fire Chief

TO: Brookline Board of Selectmen

FROM: Cynthia Snow, Chair
Brookline Bicycle Advisory Committee

DATE: February 3, 2016 (for February 9th meeting)

RE: Bicycle Friendly Community Application

The Brookline Bicycle Advisory Committee seeks your approval to submit our application to the League of American Bicyclists for recognition of Brookline as a Bicycle Friendly Community. This is a formal application on behalf of the Town, so we seek your approval as well as that of the Transportation Board.

The League of American Bicyclists is the leading national bicycle organization, and their programs for recognizing bicycle friendly communities, universities and businesses has been in existence for a number of years. Several neighboring communities including Boston, Newton, Cambridge and Somerville have already achieved recognition. (www.bikeleague.org)

Brookline has been making steady progress in developing bicycle infrastructure, and we appreciate the support we have received from the Selectmen via the budget process and support of recommendations coming forward from the Transportation Board to which we report. We have also received notable support for improving bicycling in Brookline and in preparing this application from the Transportation Board, Transportation Department, Police Department and others. The Transportation Board has recently accepted the latest revision of our Green Routes Bicycle Network Plan, which reports progress-to-date and future plans; this serves as a guide to continuing to work on making bicycling safer and more welcoming for all in Brookline. (www.Brooklinebikes.org)

The application is quite lengthy, so I hesitate to send the pdf of the complete application, but I would be happy to send it to anyone who would like to review it; just email me at csnow2@verizon.net. Attached are the final narrative sections of the application. Much of the rest of the application comprises geographic and demographic data about Brookline, as well as information on such bicycle-related topics as enforcement (data from the Police Department) and engineering (e.g., miles of on-street infrastructure and number of public bicycle racks).

I look forward to meeting with you on February 9th and answering any questions you may have.

*Final Narrative Sections of
Brookline's application to the League of American Bicyclists for
Bicycle Friendly Community Status*

Final Overview

109. What are the three primary reasons your community deserves to be designated a Bicycle Friendly Community?

Reason One (250 word limit)

The Brookline Bicycle Advisory Committee first developed its Green Routes Network Bicycle Plan in 2008; this plan is reviewed, added to and updated every year. With the support of the Brookline Transportation Board, Transportation Division of the DPW, and other committees and officials of the Town, significant progress has been made in implementing the plan. Funds have been appropriated as part of the Town's Capital Improvement Projects budget every year since the plan was developed to complete one or more bicycle infrastructure projects.

Reason Two (250 word limit)

There are a large number of bicycle commuters in Brookline and from neighboring communities (particularly Cambridge and Newton) who travel to, around or through Brookline to major employers, including those in downtown Boston, the hospitals of the Longwood Medical Area, and Boston University (just outside Brookline's borders). Annual rush hour bicycle counts have shown an increase in the number of cyclists passing through major intersections throughout Brookline since 2008, and as infrastructure improvements have been made, counts show that cyclists' routes have adapted to use the improved routes.

Reason Three (250 word limit)

There is broad community support for bicycling, with annual appropriations in the Town's capital improvement budget for bicycle accommodations, more than 500 cyclists participating in the annual Bike Parade, and increased installation and use of bicycle racks at public buildings and in commercial areas.

110. What are the three aspects of your community most in need of improvement in order to accommodate bicyclists?

Aspect One (100 word limit)

Education is an important area that needs more attention. A successful Safe Routes program was presented in one elementary school in 2014, and we hope to extend it to other schools in coming years. The first large public meeting on "Bicycling in Brookline" in March 2015 attracted an audience of about 60 to hear brief presentations from the Bicycle Committee, Transportation Board and Division, and Police. Ample time for questions elicited many useful comments, and we expect this will become an annual event.

Aspect Two (100 word limit)

Complete more connections within the Green Routes Bicycle Network Plan to make it a true network so that cyclists can more safely commute around and through Brookline to schools, parks, public buildings and local businesses. Initiation of a complete streets policy will help with this goal. A policy is currently under development, based on a public meeting in 2014 and a Complete Streets Committee appointed by the Selectmen with a mandate to make a recommendation in 2015-16.

Aspect Three (100 word limit)

We want to continue to improve existing bicycle accommodations to reflect the changing national standards for bicycle facilities and to make Brookline truly welcoming to all cyclists, especially the documented "interested but concerned" residents who would like to bicycle more but who don't feel safe in traffic.

111. Are you planning any new projects based on your completion of the Bicycle Friendly Community application?

Yes

If yes, describe (250 word limit)

We want to continue to work on the three aspects of our bicycling education and infrastructure that need further work, as outlined in the answers above.

Patty Parks

From: Alison Steinfeld
Sent: Tuesday, January 26, 2016 3:27 PM
To: Melvin Kleckner; Joslin Murphy; Daniel OLeary; Paul D. Ford; Alan Balsam; Joe Connelly; Lisa Paradis; Andrew Pappastergion; Patty Parks; Polly Selkoe; Marissa Barrett; Virginia Bullock; Tom Brady; Erin Gallentine; Todd Korrane; Dan Bennett
Cc: Alison Steinfeld; Andy Martineau; Bruce Genest; Derick Yung; Elizabeth Valenta; Gail Lewis; Greer Hardwicke; John Rosa; Joseph Viola; Kara Brewton; Lara Curtis; Linda Hickey; Maria Morelli
Subject: Puddingstone at Chestnut Hill aka "Hancock Village II"
Attachments: puddingstone_201601261522.pdf

Hi, All—

Per the attached letter from the MassDevelopment, Chestnut Hill Realty (Hancock Village) has submitted a Site Approval Application to the State to construct "Puddingstone at Chestnut Hill" within Hancock Village under MGL 40B. The applicant is seeking a determination of Project Eligibility from MassDevelopment to:

- Develop a 226-unit multi-family rental housing complex, which includes 196 newly-constructed units and 28 substantially renovated existing units
- Increase the number of bedrooms in Hancock Village by 384
- Provide for 46 subsidized units (20% of 226)
- Renovate 3 existing 2-story buildings (28 units) and construct 3 new 2 1/2 –story infill buildings (12 units) and one 6-story building (186 units)
- Provide a total of 350 parking spaces including 67 surface spaces and 283 spaces in a two-level below grade garage.

Consistent with 40B policy, the Board of Selectmen has an opportunity to respond to the application for site eligibility. The Board's response to MassDevelopment is due on **February 21st**.

Would you please notify your respective boards of the filing and request that any comments be submitted to me no later than February 17th? Similarly, if your department has any comments, please submit them to me as well ASAP.

Obviously, we will all have a more extensive opportunity to review and comment on the plans if MassDevelopment issues a Project Eligibility Letter and Chestnut Hill Realty submits an application to the ZBA for a Comprehensive Permit.

More information will follow including the date of the State's site visit. I hope to place the application on the Town's web site. As of now, I have one set of plans in my office if anyone is interested in looking at it.

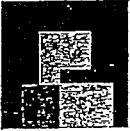
Alison

Alison C. Steinfeld

Planning Director



Brookline Town Hall
 Department of Planning and Community Development
 333 Washington Street
 Brookline, MA 02445-6853



MASSDEVELOPMENT

January 21, 2016 AM 11:37

99 High Street
Boston, Massachusetts
02110

Tel: 617-330-2000
800-445-8030

Fax: 617-330-2001

www.massdevelopment.com

BY OVERNIGHT DELIVERY

Mr. Neil Wishinsky
Chair, Brookline Board of Selectmen
Brookline Town Hall
333 Washington Street, 6th Floor
Brookline, MA 02445

Re: Chapter 40B Comprehensive Permit

Project Name: Puddingstone at Chestnut Hill
Location: Independence Drive, Brookline, MA
Number of Proposed Units: 226
Subsidizing Agency: Massachusetts Development Finance Agency
Applicant: Puddingstone at Chestnut Hill, LLC
Development Company: Chestnut Hill Realty

CHARLES D. BAKER
Governor

KARIN E. POITO
Lieutenant Governor

JAY ASH
Chairman

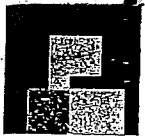
MARTY JONES
President and CEO

Dear Mr. Wishinsky:

This will serve to notify you, pursuant to 760 CMR 56.04 (3), that the above-named Applicant has applied to the Subsidizing Agency named above under the MassDevelopment Tax-exempt Bond Program for Multi-Family Housing for a preliminary eligibility letter for the above-referenced Project under M.G.L. c. 40B. The proposed Project is a rental project, with a total of 226 units, of which 46 units will be low income restricted for occupancy by families earning not more than 50% of the Area Median Income (AMI) for the area in which the Project will be located.

The review period for comments from the municipality and other interested parties concerning the Project commences on January 22, 2016, and will end on February 21, 2016. Any comments received will be considered prior to the decision whether to issue a determination of Project Eligibility. Please address comments to:

Anthony Fracasso, Senior Vice President
MassDevelopment
99 High Street, 11th floor
Boston, MA 02110



MASSDEVELOPMENT

Mr. Neil Wishinsky, Chair
Brookline Board of Selectmen
January 21, 2016
Page 2 of 2

During the review period, a site visit will be conducted at the proposed location of the Project, and you will be notified in advance of the date of the site visit. Municipal officials may attend the site visit.

The Applicant has been informed, as all applicants are, that any materials submitted by it to supplement the application must also be simultaneously delivered by the Applicant to the Town.

If and when an application is submitted by the Applicant to the Town's Zoning Board of Appeals for a comprehensive permit, assistance is available to the Zoning Board of Appeals to review the permit application. The Massachusetts Housing Partnership's (MHP) Ch. 40B Technical Assistance Program administers grants to municipalities to engage qualified third-party consultants to work with the ZBA in reviewing the Chapter 40B proposal. For more information about MHP's technical assistance grant visit MHP's web site, www.mhp.net or e-mail community@mhp.net.

If you have any questions regarding this letter, please feel free to call me at MassDevelopment at 617-330-2024.

Sincerely,

Anthony Fracasso
Senior Vice President

cc: Marc Levin, Chestnut Hill Realty

PREVIOUS MUNICIPAL ACTIONS TO MEET AFFORDABLE HOUSING NEEDS

The Department of Housing and Community Development's regulations for Comprehensive Permits under Chapter 40B direct that the Subsidizing Agency "tak[e] into consideration information . . . regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, [and] multi-family districts adopted under M.G.L. Chapter 40A...." Brookline has a robust commitment to multi-family and affordable housing, which is evident in its zoning by-laws and its funding and other support of affordable housing.

A. Multi-Family Housing in Brookline.

Brookline has nineteen (19) zoning districts that permit multi-family housing (more than a two-family structure) covering approximately 18% of the Town's land area. The impact of the Town's zoning is clear—approximately 20,360 units, or 77% of the Town's housing units, are in multi-family buildings.

Approximately half of Brookline households rent their homes. Of these renters, approximately 50% pay less than 30% of household income for gross rent. This rate is comparable to that of the entire Boston – Quincy – Cambridge Metropolitan Statistical Area and the state average.

B. Affordable Housing in Brookline.

Brookline has a longstanding commitment to affordable housing and has often been cited by state officials as an exemplar community for creating and preserving opportunities for affordable and multi-family housing that address the goals of Chapter 40B. As of February, 2016, 2,410 of the Town's 26,201 year-round dwelling units (US Census, 2010), or 9.2%, qualified for the Subsidized Housing Inventory, as well as an additional 73 occupied affordable units serving households with incomes between 80% and 110% of area-median income. The current 40B-eligible units include 923 units owned and operated by the Brookline Housing Authority; 405 rental units owned by private investors; 769 rental units owned or controlled by non-profit organizations; 225 rental units permitted and/or in construction by 40B developers, and 88 owner-occupied homeownership units. Of the Chapter 40B-eligible units, a significant portion contains three or more bedrooms.

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2. New Affordable Housing Development.

Brookline has provided financial support and assistance to developers of new affordable housing, including projects on private properties, as well as Town and other publicly-owned properties. These Town-funded developments went through an extensive planning process, resulting in designs compatible with the surrounding neighborhoods as more particularly described below.

The Olmsted Hill project, completed in 2012, is located on a 4.8 acre former Town-owned reservoir site in the single-family neighborhood of Fisher Hill. After several years of community planning and developer selection, the Town partnered with New Atlantic Development Corporation, which dismantled and filled two underground reservoirs, created a subdivision, sold 10 market-rate, single-family lots, and developed an affordable condominium complex. This project contains 24 affordable two and three bedroom units in three buildings, including 12 units that will serve families with incomes up to 80% of AMI and 12 units that will serve families with incomes up to 100% of AMI. The 2 ½ -story and 3-story multi-family buildings are designed to harmonize with the surrounding single family neighborhood by resembling a large estate home and carriage house. Permanent subsidy provided by the Town for the affordable units includes \$1,273,982 in HOME funds, as well as \$820,605 from Brookline's Housing Trust, \$2,326,600 in revenue from the sale of the lots and a discount to the developer by the Town on the value of the land. All 24 units were sold with long-term deed restrictions.

In 1999, the Town began working with the Archdiocese of Boston Planning Office for Urban Affairs (POUA) to develop St. Aidan's Church as a "friendly 40B" development. POUA submitted an application to the Board of Appeals that conformed to development principles and guidelines established by community process. The 59-unit development was completed in 2009, and includes 36 affordable units (20 low-income rental and 16 homeownership units); preservation of the church building through adaptive reuse; and conservation of open space and specimen trees. The 3-to 5-story buildings are organized around common green space designed for passive and active recreation. The Town's contribution of \$6.1 million in Housing Trust, HOME and CDBG monies leveraged \$5 million in gap funding from the state and \$4.5 million from private investors under the federal Low Income Housing Tax Credit program. This project was identified by Housing and Community Development Undersecretary Aaron Gornstein during his introductory remarks at the September 28, 2012 conference on Chapter 40B, co-sponsored by DHCD and CHAPA, among others.

Most recently, the Town supported the Brookline Housing Authority in its first venture as a developer of privately owned affordable housing. The Town provided \$4.3 million towards the development of a 32-unit Low Income Housing Tax Credit project, constructed on an existing under-utilized parking lot serving the BHA's Trustman Apartments. The project was completed in December of 2015 and is now fully occupied.

3. Renovation of Existing Affordable Housing Units

The Town supports the preservation of existing affordable housing by providing funding for capital improvements. The Town regularly funds improvements at Brookline Housing Authority developments, to which it has contributed over \$2.3 million. It also has assisted various residences serving individuals with special needs, including a total of \$363,000 to Humanity House, a home for 10 developmentally disabled individuals, and \$614,000 to a Pine Street Inn project in Brookline, a lodging house at 1043-1045 Beacon Street which serves 28 low-income individuals. Federal AARA dollars were allocated by the Town for energy-saving improvements to several properties controlled by nonprofits, including properties under the umbrella of Specialized Housing, Inc., which serves disabled adults at several locations in Brookline. The Town and the BHA have proven their commitment to modernizing and improving the Town's existing affordable housing stock.

4. Redevelopment of Existing Market Rate Housing.

Brookline has provided extensive financial and technical assistance to property owners and for-profit and non-profit entities proposing to redevelop existing market rate housing into affordable housing units.

Currently the Town is working with the Pine Street Inn to rehabilitate two lodging houses at 51-53 and 55-57 Beals Street. These long term lodging houses were managed by Pine Street under a lease with the owners since 2004. Pine Street Inn was able to purchase the property in 2014 with over \$1.9 million in Housing Trust, HOME and CDBG funds from the Town. The buildings are being redeveloped into thirty-one "enhanced" single room occupancy (SRO) units including small bathrooms and mini-kitchenettes.

In 2001, the Town financed the purchase of a dilapidated lodging house at 1754 Beacon Street by the non-profit Brookline Improvement Coalition, Inc. (BIC), the Town's Community Housing Development Organization, and assisted BIC in the selection of a non-profit developer to rehabilitate, own and manage the lodging house. Pine Street Inn, the successful applicant, used the Town's investment of over \$907,000 in HOME monies to leverage an additional \$1.6 million commitment from three state sources for the rehabilitation of this historic building. The 14 rooms and efficiencies, permanently affordable for income-eligible persons, were occupied in the fall of 2003. The project has been both nationally recognized for innovative use of HOME funds and by the Massachusetts Historic Commission as an exemplary preservation project.

During the summer of 2002, the Housing Division staff learned of another deteriorated lodging house on the market at 1876 Beacon Street. After several affordable lodging house operators viewed the property, the Town agreed to support Caritas Communities, Inc., in acquiring the building. At

the same time, the developer of Longyear Estates was seeking property to satisfy its off-site affordable housing obligation under the inclusionary provisions of the Town's zoning by-law. By partnering Caritas with Longyear and supporting Caritas in advocating for additional funding from state agencies, the Town was able to assure that Caritas received the \$1.1 million in gap funding required to complete the acquisition, rehabilitation and long-term affordability of another 15 S.R.O. units for lower-income individuals.

At the end of 2003, the Town was notified of the sale of a 6-family building at 154-156 Boylston Street. BIC purchased and completed the rehabilitation and occupancy of this building in 2005 with \$593,000 in Town-controlled CDBG funds, leveraging about \$500,000 in gap funding from the Massachusetts Housing Partnership.

5. Preservation of Affordability in Expiring Use and Other Projects.
Brookline also has actively sought to preserve affordability in its existing housing stock. One strategy has been to extend affordability at the Town's "expiring use" properties.

For example, in 2001, the Town assisted the Hebrew Rehabilitation Center for the Aged (Hebrew Rehab) in connection with its acquisition and rehabilitation of the senior housing at 100 and 112 Centre Street and 1550 Beacon Street, three such "expiring use" properties. The Town's commitment of \$1 million in Housing Trust funds and an agreement to terminate the projects' 121A tax agreements gave this non-profit the competitive edge needed to purchase the properties. At that time, only about 280 of 516 units were still affordable, with a potential loss of another 160 affordable units when restrictions expired in 10 to 15 years. As a result of the Town's commitment, Hebrew Rehab acquired and modernized the properties, and is operating them under the name of Center Communities of Brookline, with at least 60% (338) units preserved as affordable for an additional 40 years.

In 2004, the Town modified its 121A tax agreement with the owner of the subsidized project at 1371 Beacon Street, resulting in the extension of the affordability of the project's 30 units until 2028. The Town also negotiated with the Board of the 116-unit Brookline Cooperative, preserving 32 units as affordable condominium units, when the Co-op converted upon the expiration of the original HUD mortgage guarantee.

In 2015, Winn Development sought to pre-pay its federally-subsidized mortgage in order to take advantage of HUD's Rental Assistance Demonstration Program, which provides better protection for existing low-income tenants. The Town negotiated with Winn to increase the number of units that will remain affordable for the next thirty years. The

Town also hopes to work with the owner to preserve the 116-unit senior building on the property as permanently affordable with additional state and Town-controlled resources.

6. Other Affordable Housing Activities and Funding.

The Town actively supports affordable homeownership in several ways. It operated a first-time homebuyer down payment assistance program from 1992 until 2010. With assistance increasing over the years from a maximum of \$25,000 to a maximum of \$175,000 per buyer, the program provided over \$5 million in HOME and CDBG funds, with some of this total reflecting the recycling of loan payoffs upon resale. Since all new units are sold subject to permanent deed restrictions, the Town regularly exercises its right of first refusal by identifying eligible buyers and holding a lottery upon all unit resales.

In short, unlike many communities in the Commonwealth, Brookline's efforts to create, promote and preserve multi-family and affordable housing have been long-standing, committed, comprehensive and effective. Brookline has committed significant Town resources to these efforts and has made measurable progress in creating and preserving affordable housing. Affordable housing that has been created in the Town is subject to permanent affordability restrictions. Through its own efforts and close cooperation with private developers, Brookline has demonstrated that affordable housing does not need to be incompatible with sound planning objectives, environmental concerns or its surrounding community.

BOARD OF EXAMINERS

Barnett Berliner	(2017)
Fred Lebow	(2015)
Vacancy	(2013)

INCUMBENT

Fred LeBow

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NAMING COMMITTEE

Fred Lebow	(2017)
Carla Benka	(2017)
John Bain	(2015)
Helen Charlupski	(2015)
Wendy Ecker	(2015)

ALTERNATE

Harry Friedman	(2017)
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INCUMBENTS

John Bain	(2015)
Helen Charlupski	(2015)
Wendy Ecker	(2015)

NEW CANDIDATES

HOLOCAUST MEMORIAL COMMITTEE

CANDIDATES

Ken Goldstein

Olivia Segal

Ingrid Cooper

Neil Wishinsky

Kathy Bisbee

Adam Strom

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Chairman Goldstein replied that these are the things that would need to be worked out; we are only agreeing to have a discussion team at this point.

Selectman DeWitt noted that since the 1999 event, the Country Club has continued to support youth programs in Brookline, and that seven years should be an adequate amount of time to work out the issues. Mr. Chag added that this is accomplished by working together with the Town. The Country Club continues to raise funds for youth programs.

Selectman Franco noted the planned CIP work at Larz Anderson Park and stated that should the USGA events come to Brookline the CIP work will need to be coordinated.

Selectman Wishinsky asked about a potential Olympic site at the Country Club. Mr. Fulton replied that it has not been assigned to Boston at this point, and they have not had any discussions with the Olympic Committee at all. Right now the Club's sole focus is on the U.S. Open event, and continuing the relationship with both the Town and the USGA. If and when they do get approached by the Olympic Committee, they will come to the Town.

Town Administrator Mel Kleckner added that this is for a letter of intent to negotiate in good faith with the USGA on the details that would include the cost for services, the handling of facilities, and the use of public facilities. There would be staff assigned to working with the Country Club and the USGA and they would present the details to the Board of Selectmen upon completion of the task.

On motion it was,

Voted to approve and execute a Letter of Intent with the United States Golf Association (USGA).

Voted to authorize the Town Administrator to convene a Team for the purpose of negotiating a definitive agreement, subject to Board of Selectmen approval.

Aye: Kenneth Goldstein, Betsy DeWitt, Neil Wishinsky, Benjamin J. Franco
Abstained: Nancy Daly

HOLOCAUST MEMORIAL PROJECT

Diversity, Inclusion and Human Relations Director Lloyd Gellineau appeared to update the Board.

a. Question of adopting a renewed charge to the Brookline Holocaust Memorial Committee.

b. Question of directing that the Brookline Holocaust Memorial Committee be reconvened and new appointments be made.

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Chairman Goldstein reviewed that some videotaped films were recently recovered that feature testimonies of people who witnessed the Holocaust as part of a project started many years ago: this is a real gift to our community.

Director of Diversity, Inclusion and Human Relations Lloyd Gellineau stated that he has been working to make this project happen. He has recently come across some tapes started by the previous Brookline Holocaust Memorial Committee that contain interviews conducted in the 1990's with Brookline residents who were witnesses to the Holocaust. The tapes are in the process of being converted and preserved so that the intent of the original project can continue, and a documentary would be public accessible.

Dr. Gellineau approached Harvey Bravman, publisher of the Brookline Hub, and video producer to assist on this project, which he has agreed to.

Mr. Bravman stated that it is an honor to be asked to work on this documentary, and the goal is to work with the 88 hours of interviews conducted in the 1990's, and to continue to interview some residents that were not previously interviewed. They will look at the releases to see if they are still functional, and work to take it to a more modern state. These are compelling stories that will offer education, and teach people what their lives were like before the Holocaust and what they are like here in Brookline.

Jennifer Dopazo Gilbert stated that she is pleased to be here and has volunteered to help out and revive this project. As the former Town Counsel, she remembers when the Human Services department received a gift and the Holocaust Committee convened and began this project. Her mother is a Holocaust survivor and a witness and a member of Facing Histories since its inception, and she continues to speak to groups about her experience during that time. It is important to have these tapes digitized and put into a modern format for everybody to view as an important part of our history.

The Board noted that it is important to continue and complete this project. The vision is here and they are ready to convene into a committee.

On motion it was,

Voted to adopt a renewed charge to the Brookline Holocaust Memorial Committee.

Charge:

To continue the work of the Brookline Holocaust Memorial Committee's Holocaust Witness Project begun in 1990, the goal of which was to collect and preserve the testimony of Brookline residents who were witnesses to the Holocaust; to assure that existing video testimonies are archived, preserved, and publically-accessible consistent with the original goals of the Holocaust Witness Project; to assess the feasibility of utilization of the archived testimonies in connection with a privately produced and funded documentary film (on a non-profit basis); to report to the Board of Selectmen as to whether a film project is

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feasible and propose terms; and, if a film project is authorized by the Board of Selectmen, to act as an advisory board to the production team.

Voted to direct that the Brookline Holocaust Memorial Committee be reconvened and new appointments be made.

Aye: Kenneth Goldstein, Nancy Daly, Betsy DeWitt, Neil Wishinsky, Benjamin J. Franco

CULTURAL WAYFINDING SIGNS PROJECT

Economic Development Planner Andy Martineau appeared to update the Board on the preferred design concept in connection with the Wayfinding Sign Project.

Economic Development Planner Andy Martineau has been working with Faverman Design on the Wayfinding Sign Project. Mr. Martineau stated that they have been working on creating sign standards and are starting with preliminary sign designs. The signs would be legible and serve a purpose, with a focus in the commercial areas that are both informative and celebratory of the cultural history of the Town. The design team has come up with an overall theme of greenery and architectural views designed into the signs, as well as a color and font scheme.

Mr. Martineau presented a Powerpoint of various sign designs.

Selectman Daly noted that she has advocated that “age friendly community” be placed on entrance welcoming signs.

Selectman DeWitt replied that if the content is so detailed and complex the letters will be reduced to illegibility and provide no value.

Mark Faverman of Faverman Design added that the purpose of wayfinding is to provide comfort for the community and out-of-Towners; the simpler the sign the better. Each institution can identify them however they want to, but how to get there will be clean and clear. They are working with the National Park Service to incorporate their logos as well.

Selectman Franco has some concerns on the larger signs that may cause obstruction, and they would need to be mindful of where they are placed around the community. Also, the MBTA is planning to boost their advertising, and there may be more of their signage around the local ‘T’ stops.

GRANT OF LOCATION

Public Hearing on the petition of Comcast for permission to construct, and a location for, such a line of conduits and manholes with the necessary cables therein under the following public way: